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C. REMARKS

Status of Claims

Claims 1-3, 5-10, 12-17, and 19-20 are pending. Claims 1, 8, and 15 are amended. Claims 1, 11, and 18 are canceled.

Interview Summary

Applicants' representative, Amy Pattillo, and Examiner Paul Baker participated in a telephone interview on January 26, 2006 at 3:00 PM EST. No exhibits were shown or demonstrations performed.

Applicants' representative and Examiner Baker discussed the rejection of claim 1 under 35 USC 103(a) under Bealkowski et al. (US Patent 6,295,591) in view of Badovinatx et al. (US Patent 5,392,415) and further in view of FOLDOC's definition of swap file.

First, Applicants' representative requested that the Examiner discuss the basis of the Examiner's statement on page 3 of the Office Action that reads "both Bealkowski and Badovinatx disclose paging out physical memory to the swap file of the system." The Examiner stated that Bealkowski does not explicitly disclose paging out physical memory to the swap file of the system, but that Badovinatx does through the description of assembling swap blocks. The Examiner noted that additional review of Badovinatx would be required to show the suggestion or motivation for combining Bealkowski with Badovinatx.

Second, Applicants' representative requested that the Examiner discuss the interpretation of the element "to a contiguous paging space within a disk space" of claim 1. Applicants' representative noted FOLDOC merely describes that the a "swap file" is usually allocated as a long contiguous section of a hard disk, but that FOLDOC does not describe that the actual swap space for a particular swap, or page out, is contiguous. Applicants noted that "a contiguous paging space" is referred to throughout the specification as a contiguous portion of paging space of sufficient size within the disk space allocated for page outs. The Examiner stated that he

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would need to review the specification of the application to determine if the specification would support an interpretation of contiguous paging space argued by Applicants.

No agreements were reached with respect to the claims.

Allowable Subject Matter

The Examiner objects to claims 3-5, 7, 10-12, 14, and 17-19 "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." [Office Action, p. 9] Applicants have amended base claims 1, 8, and 15 to include the limitations of allowable claims 4, 11, and 18. No other claims are intervening between claims 1 and 4, 8 and 11, and 15 and 18. Applicants respectfully request allowance of claims 1, 8, and 15 which are amended to represent claims 4, 11, and 18 rewritten in independent form including all of the limitations of the base claim.

Lack of Obviousness under 35 USC § 103(a)

Claims 1, 2, 6, 8, 9, 13, and 15-20 stand rejected under 35 USC 103(a) as being unpatentable over Bealkowski et al (US Patent 6,295,591) in view of Badovinatz et al. (US Patent 5,392,415) and further in view of FOLDOC's definition of swap file.

As to claims 1, 8, and 15, Applicants respectfully note that these independent claims are amended to incorporate the allowable subject matter of dependent claims 4, 11, and 18. For example, claim 1, as amended reads:

1. (Currently Amended) A method for fast paging of a memory block during memory block removal from a data processing system, comprising:
 - receiving a request to physically remove a memory block device from said data processing system;
 - translating a plurality of logical pages for said memory block device into a plurality of physical addresses for said memory block device; and
 - issuing a single direct memory access request to page out data located at said plurality of physical addresses to a contiguous paging space within a disk space accessible to said data processing system, such that after said single request is complete said memory block device can be removed.

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Applicants respectfully submit that regardless of whether the Examiner's previous assertions as to Bealkowski, Badovinat, and FOLDOC, none of Bealkowski, Badovinat or FOLDOC separately or in combination teaches the element amended to incorporate allowable subject matter of *issuing a single direct memory access request to page out data located at said plurality of physical addresses to a contiguous paging space within a disk space accessible to said data processing system*. Because Bealkowski, Badovinat and FOLDOC separate or in combination do not teach at least one element of claims 1, 8, and 15, a prima facie case of obviousness is not established in these claims and the claims should be allowed.

As to claims 2, 6, 9, 13, 16, and 20, Applicants respectfully assert that because these claims are dependent upon now allowable independent claims 1, 8, and 15, that dependent claims 2, 6, 9, 13, 16, and 20 should be allowed as dependent claims of allowable subject matter. Applicants also note that while the Examiner includes claims 17-19 in the rejection under 103(a), claims 17-19 are also listed as objected to claims under the allowable subject matter and the rejection under 103(a) does not include any specific grounds of rejection of claims 17-19, and therefore claims 17 and 19 should be allowed as dependent claims of allowable independent claim 15 and as subject matter separately designated by the Examiner as allowable.

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Conclusion

Applicants note the citation of pertinent prior art cited by the Examiner.

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims are respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

Respectfully submitted,

 on 1/31/04

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